

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

ROSE MAE BEAR;
KODI LEE BEAR;
RICHARD COLE HOSIE,
a/k/a "SPANKY;" and
NATHANIEL PRESTON SMITH

INDICTMENT

Case No. _____

Violation: 18 U.S.C. § 2; and 21 U.S.C.
§§ 841(a)(1), 841(b)(1)(C), and 846

COUNT ONE

Conspiracy to Distribute and Possess with Intent to Distribute Oxycodone

The Grand Jury Charges:

Beginning in or about 2015 and continuing until the date of this Indictment, in the
District of North Dakota, and elsewhere,

ROSE MAE BEAR;
KODI LEE BEAR;
RICHARD COLE HOSIE, a/k/a "SPANKY;" and
NATHANIEL PRESTON SMITH

knowingly and intentionally combined, conspired, confederated, and agreed together and
with others, both known and unknown to the grand jury, to distribute and possess with
intent to distribute oxycodone, a Schedule II controlled substance, in violation of Title 21,
United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States
Code, Section 2.

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the defendants and others would and did distribute and possess with intent to distribute prescription pills containing a detectable amount of oxycodone, a Schedule II controlled substance, in New Town, Minot, and Bismarck, North Dakota, and within the exterior boundaries of the Fort Berthold Indian Reservation, and elsewhere;
2. It was a further part of said conspiracy that the defendants and others would and did attempt to conceal their activities;
3. It was a further part of said conspiracy that the defendants and others transported and attempted to transport United States currency from North Dakota to Michigan, and elsewhere, to further the drug trafficking conspiracy;
4. It was a further part of said conspiracy that one or more of the conspirators transmitted and received proceeds of the drug distribution activity through wire services in North Dakota and Michigan;
5. It was a further part of said conspiracy that the defendants and others would and did use telecommunication facilities, including cellular telephones, to facilitate the distribution of controlled substances;

6. It was a further part of said conspiracy that one or more conspirators traveled by automobile, train, and other means of transportation, between Michigan and North Dakota, and elsewhere, to obtain and distribute controlled substances;
7. It was a further part of said conspiracy that one or more conspirators allowed distributors of prescription pills containing oxycodone to utilize their residences in New Town and Bismarck, North Dakota, and elsewhere, to possess, store, conceal, and distribute those substances; and,
8. It was a further part of said conspiracy that one or more conspirators collected money from other persons to purchase prescription pills containing oxycodone;

In violation of Title 21, United States Code, Section 846; Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT TWO

Distribution of Oxycodone

The Grand Jury Further Charges:

Beginning in or about 2015 and continuing until the date of this Indictment, in the District of North Dakota, and elsewhere,

ROSE MAE BEAR;
KODI LEE BEAR;
RICHARD COLE HOSIE, a/k/a “SPANKY;” and
NATHANIEL PRESTON SMITH

knowingly and intentionally distributed a mixture and substance containing a detectable amount of oxycodone, a Schedule II controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

A TRUE BILL:

/s/ Grand Jury Foreperson

Foreperson

/s/ Christopher C. Myers

CHRISTOPHER C. MYERS

United States Attorney

RLV/rab